

New Hampshire Racing & Charitable Gaming Commission
Commission Meeting
May 28, 2014
14-05

Present: Timothy J. Connors, Chairman
Anthony B. Urban, Secretary
Frederick H. Booth, Member
Dennis H. Caza, Member
Michael J. Gatsas, Member
Lynn M. Presby, Member
Paul M. Kelley, Director
Sudhir K. Naik, Deputy Director
Stephen Johnston, Supervisor-Gaming Operations
Billie Jean Arseneault, Gaming/Licensing Supervisor
Linda Glaser, Auditor
Stratos Argiras, Auditor
Amir Alic, Auditor

In Attendance: Dick Bouley, Nick Bonardi, Jan DiMarzio, Bob Sinclair, Ed Callahan, Rick Newman, Representative Lovejoy, Ryan Gloddy and others.

The Chairman called the meeting to order at 11:00 a.m. He called for the scheduled hearing to begin.

Club Mont Royal Hearing

At 11:00 a.m., the Chairman opened the hearing for Club Mont Royal relative to the Lucky 7 Ticket audit performed by the RCGC staff. Mr. Robert Sinclair, President of Club Mont Royal, was present to represent the club and answer questions from the commissioners.

After testimony was given, the Chairman asked if anyone else had any testimony or evidence to offer. There being none, the Chairman closed the hearing at 11:20 a.m. Based on all evidence received and all testimony heard, on a motion by Commissioner Gatsas, seconded by Commissioner Presby and all voting for the following:

IN THE MATTER OF Club Mont Royal
Decision & Order
Lucky 7 Ticket Audit

The Racing and Charitable Gaming Commission conducted a public hearing concerning the above referenced matter on May 28, 2014. After consideration and deliberation of the facts and law, the Commission orders that the RCGC staff schedule a meeting with the President, Treasurer, the Certified Public Accountant employed by Club Mont Royal and any other individuals involved in the process of accounting for money taken from the Lucky 7 ticket machine or relative to the sale or redemption of Lucky 7 tickets. The President, Treasurer, the CPA, and other involved individuals will be asked to sign a copy of the audit report and a copy of procedures that they now have in place. The CPA will be asked to attest that proper procedures are now being followed. At some point between now and December 01, 2014, Chairman Connors and RCGC staff members will

perform an unannounced site visit to review Club Mont Royal's procedures. In December 2014, the RCGC staff will perform a new audit.

On a motion by Commissioner Booth, seconded by Commissioner Urban and unanimously voted to approve and place on file the minutes dated April 17, 2014.

On a motion by Commissioner Urban, seconded by Commissioner Booth and unanimously voted to place on file the Racing & Charitable Gaming statistics for the fiscal period of July 1, 2013 – April 30, 2014.

The Games of Chance/Bingo/Lucky 7 warning letters/late financials spreadsheets were reviewed. Deputy Director Naik noted one warning had been issued; a response has been received and is satisfactory. The spreadsheets were accepted and placed on file.

On a motion by Commissioner Urban, seconded by Commissioner Booth and unanimously voted to place the Games of Chance State and Charity revenue spreadsheets on file.

Tabled Items:

- a. Moratorium on submission of new games – On a motion by Commissioner Presby, seconded by Commissioner Booth and unanimously voted to leave on the table for 60 days.
- b. Club Mont Royal – addressed above.

Correspondence:

- a. Correspondence was received from Mr. Rick Newman requesting PokerTek poker and blackjack tables, two of each type at each venue, be allowed in the game rooms for a trial period to begin as soon as possible and run through December 31, 2014.
Discussion ensued. Currently we do not have rules in place on either electronic games of chance or Lucky 7 machines. A motion was made by Commissioner Booth and seconded by Commissioner Presby to approve, on a trial basis, a time period to allow staff 30 days to review followed by an operational trial period of 150 days. Further discussion ensued. Should pilot program be implemented prior to having rules in place, or, following the 150 day operational trial period, examine what has transpired, the good and bad and then create rules? Should the machines be brought back for further examination and explanation or rely solely on national certification approval? An amended motion was made by Commissioner Presby and seconded by Commissioner Booth to allow staff 60 days for review followed by a pilot program of 150 days allowing currently licensed Games of Chance operators the opportunity to operate no more than 2 electronic PokerTek machines per facility (either 2 PokerTek machines or 2 Lucky 7 machines or one of each), and currently licensed Bingo/Lucky 7 facilities the opportunity to operate no more than 2 electronic Lucky 7 machines per facility, (either 2 PokerTek machines or 2 Lucky 7 machines or one of each). On a roll call vote, at the request of Commissioner Gatsas, with Commissioners Connors, Presby, Booth and Caza voting affirmative and Commissioners Urban and Gatsas voting negative, motion passed.
- b. Summary of RCGC monthly activities for month ended April 30, 2014

All correspondence was accepted and placed on file.

Old Business:

- Commissioner Gatsas noted that the account wagering balance information from Seabrook and Rockingham fall within the required limits.

- Director Kelley provided an update on HB1630. The start date for this bill was delayed until 07/01/2015. However, there was a Study Commission established to determine if charitable gaming is right for New Hampshire to begin 60 days from passage.

New Business:

- Director Kelley and Commissioner Presby updated the Commission on the electronic Lucky 7 rulemaking process. A draft of “talking points” was provided to those in attendance. Further workshops will be scheduled in order to move forward with rulemaking.

There being no questions or comments from the audience, at 12:25 p.m., on a motion by Commissioner Booth, seconded by Commissioner Urban and by a unanimous roll call vote the Commission voted to adjourn the regular meeting and go into nonpublic session as allowed under RSA 91-A:3, II(c)

Connors	-	Yes
Caza	-	Yes
Booth	-	Yes
Gatsas	-	Yes
Presby	-	Yes
Urban	-	Yes

At 12:35 p.m., on a motion by Commissioner Booth, seconded by Commissioner Gatsas and by a unanimous roll call vote the Commission voted to come out of the nonpublic session and permanently seal the nonpublic minutes.

Connors	-	Yes
Caza	-	Yes
Booth	-	Yes
Gatsas	-	Yes
Presby	-	Yes
Urban	-	Yes

The next meeting is scheduled for Wednesday, June 25, 2014 at 10:00 a.m. in conference room 100 at the Walker Building.

The Chairman closed the public meeting at 12:40 p.m.

Respectfully Submitted,

Secretary
Anthony B. Urban